

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Eric Lamont Phillips

Docket No. 5:14-CR-239-1M

Petition for Action on Supervised Release

COMES NOW Haley Huntley, U.S. Probation Officer of the Court, presenting a petition for modification of the Judgment and Commitment Order of Eric Lamont Phillips, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 9, 2015, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. Eric Lamont Phillips was released from custody on September 2, 2022, at which time the term of supervised release commenced.

On November 10, 2022, the defendant's conditions of supervision were modified to include the addition of a cognitive behavioral program.

On January 6, 2023, a Violation Report was submitted to the Court advising that the defendant submitted a urine sample that tested positive for cocaine. The defendant was continued under supervision to participate in substance abuse treatment.

On August 21, 2023, the defendant's conditions of supervision were modified to include the addition of an alcohol abstinence condition as well as 60 days of Remote Alcohol Monitoring because of the defendant obtaining a Driving While Impaired charge in Cumberland County, North Carolina.

On September 18, 2023, a Violation Report was submitted to the Court advising that the defendant failed to submit alcohol tests as scheduled and submitted positive alcohol tests. The defendant was continued under supervision to continue participating in the Remote Alcohol Monitoring program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On September 17, 2023, the defendant submitted a positive alcohol test. When confronted with the positive result, the defendant admitted to drinking alcohol in celebration of his birthday. The defendant was given a verbal reprimand for his alcohol use and was advised that if he continues to disregard the conditions of his supervision, that a hearing will be requested. At this time, the probation office respectfully recommends that the defendant be continued under supervision and that the conditions of supervision be modified to extend the term of Remote Alcohol Monitoring an additional 30 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed an additional 30 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Haley Huntley
Haley Huntley
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2533
Executed On: September 21, 2023

ORDER OF THE COURT

Considered and ordered this 21st day of September, 2023, and ordered filed and
made a part of the records in the above case.

Richard E. Myers II
Richard E. Myers II
Chief U.S. District Judge